

77-62

No. 77-

Supreme Court, U. S.

FILED

JUL 11 1977

MICHAEL RODAK, JR., CLERK

**In the Supreme Court of the United States**

OCTOBER TERM, 1977

---

AMERICAN EXPORT LINES, INC., *et al.*, PETITIONERS

v.

MARSHALL P. SAFIR

---

**CONDITIONAL CROSS-PETITION FOR A WRIT OF  
CERTIORARI TO THE UNITED STATES COURT  
OF APPEALS FOR THE DISTRICT OF  
COLUMBIA CIRCUIT**

---

DANIEL H. MARGOLIS  
WARREN L. LEWIS  
11 Dupont Circle, N.W.  
Washington, D.C. 20036

ROBERT T. BASSECHES  
734 - 15th Street, N.W.  
Washington, D.C. 20005

VERNE W. VANCE, JR.  
10 Post Office Square  
Boston, Massachusetts 02109

*Attorneys for*  
*American President Lines,*  
*Ltd., Farrell Lines, Inc.,*  
*Prudential Lines, Inc., and*  
*PSS Steamship Company, Inc.*

J. FRANKLIN FORT  
T. S. L. PERLMAN  
1776 F Street, N.W.  
Washington, D.C. 20006

*Attorneys for*  
*Lykes Bros. Steamship Co.,*  
*Inc., and Moore-McCormack*  
*Lines, Incorporated*

ELMER C. MADDY  
120 Broadway  
New York, New York 10005

*Attorney for*  
*United States Lines, Inc.*

JAMES N. JACOBI  
1055 Thomas Jefferson Street,  
N.W.  
Washington, D.C. 20007

*Attorney for*  
*American Export Lines, Inc.*

July 11, 1977



# **In the Supreme Court of the United States**

OCTOBER TERM, 1977

---

No. 77-

AMERICAN EXPORT LINES, INC., *et al.*, PETITIONERS

v.

MARSHALL P. SAFIR

---

## **CONDITIONAL CROSS-PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT**

---

The eight steamship lines listed in the footnote \* (appellees below) petition that a writ of certiorari issue to review the judgment of the United States Court of Appeals for the District of Columbia Circuit entered in this case on February 11, 1977 (551 F.2d 447), if but only if the petition in No. 76-1505, *Safir v. Kreps*, is granted.

### **STATEMENT**

A petition for a writ of certiorari in this case was filed by respondent *Safir* on April 29, 1977 (No. 76-1505). By order of the Chief Justice, the Solicitor General and these petitioners were granted extensions of time to and including July 11, 1977 to file cross-petitions on the issue whether Mr. *Safir* has standing to maintain this suit in the courts below.

---

\* American Export Lines, Inc.; Lykes Bros. Steamship Co., Inc.; Moore-McCormack Lines, Incorporated; United States Lines, Inc.; American President Lines, Ltd.; Farrell Lines Inc.; Prudential Lines, Inc.; and PSS Steamship Company, Inc.

The Solicitor General is filing such a petition, which we understand is conditional on the grant of Mr. Safir's petition, concurrently herewith. The opinions below, jurisdiction, question presented, statement, and reasons for granting the writ are fully set forth in the Solicitor General's petition; his statements are incorporated herein by this reference and will not be repeated here. The conflict between the decision below and decisions of this Court is apparent.

### CONCLUSION

These petitioners, accordingly, join with the Solicitor General in requesting that a writ issue herein if a writ issues in No. 76-1505.

Respectfully submitted,

DANIEL H. MARGOLIS  
WARREN L. LEWIS  
11 Dupont Circle, N.W.  
Washington, D.C. 20036

ROBERT T. BASSECHES  
734 15th Street, N.W.  
Washington, D.C. 20005

VERNE W. VANCE, JR.  
10 Post Office Square  
Boston, Massachusetts 02109

*Attorneys for*  
*American President Lines,*  
*Ltd., Farrell Lines, Inc.,*  
*Prudential Lines, Inc., and*  
*PSS Steamship Company, Inc.*

J. FRANKLIN FORT  
T. S. L. PERLMAN  
1776 F Street, N.W.  
Washington, D.C. 20006

*Attorneys for*  
*Lykes Bros. Steamship Co.,*  
*Inc., and Moore-McCormack*  
*Lines, Incorporated*

ELMER C. MADDY  
120 Broadway  
New York, New York 10005

*Attorney for*  
*United States Lines, Inc.*

JAMES N. JACOBI  
1055 Thomas Jefferson Street,  
N.W.  
Washington, D.C. 20007

*Attorney for*  
*American Export Lines, Inc.*

July 11, 1977